

March 18, 2018

[REDACTED]

Re: Decision of the Student Conduct Appeals Board

Dear [REDACTED]

This letter is to document and inform you of the decision of the Judicial Appeals Board Hearing, February 27, 2018.

The Board recognizes the seriousness of this case and appreciates the manner and professionalism in which you conducted yourself during the meeting.

Based on your letter to the Dean of Students dated February 6, 2018, the focus of your Appeal is your belief of the following five points:

1. Case Manager Jessica J. Stillwell was incorrect in her conclusion that you failed to notify WWU promptly of the charge filed against you as required by the Code of Conduct.
2. Case Manager Jessica J. Stillwell was incorrect in her conclusion that you violated the Code of Conduct by knowingly providing false information in your returning student application form.
3. Case Manager Jessica J. Stillwell was incorrect in implying that you were a threat to the safety of the University community (based on her finding that you were found responsible of committing a violent crime).
4. Case Manager Jessica J. Stillwell was incorrect in implying that you did not express regret for your actions.
5. That the sanctions imposed on you, when combined with penalties imposed upon you by the Court, are grossly disproportionate to your crime.

[REDACTED] after careful consideration of all testimony and other evidence presented (including both written and verbal attesting to your character), the Board has concluded:

- That while the language of the Code may have nuances where the exact words do not match the specifics of your summons and charges, you are still responsible for the spirit of the Code:
 - a. which requires a student to report when they are charged with a serious crime and,
 - b. which requires a student to provide specifics when asking to return in order to protect the community.
- That it is not the place of this Board to have a final determination if you are a threat to the WWU community.
 - a. We understand the nuances of the plea deal to arrive at an Assault in the fourth degree conviction.

- b. Without having been a part of the decision making process of the original court case, it is impossible for us to determine the perspective of the victim in this case as to whether violence in the breadth of its definition occurred.
- c. The question of “threat” is better left to an expert, thus our decision in the sanctions below.
- That you articulated and expressed regret for your actions during the Appeal Meeting.

Based on our conclusions above, we are **Upholding the sanction of Suspension.**

- Given the specifics of your case, however, **we are modifying the original sanctions as we agree that they are disproportionate to the actual violation committed.**

Sanctions:

1. Suspension from the University

Start Date: January 25, 2018

Completed by: January 1, 2019

You are suspended from Western Washington University effective immediately and are trespassed from all areas of Western’s campus through January 01, 2019 (allowing you to re-apply for Winter Quarter 2019). During this time period, you may not be on campus from any reason. An administrative hold had been placed on your student record; this prevents you from registering for classes and will remain in place until you have completed your suspension.

Academic transcripts do not note violations of the Student Conduct Code. Prior to returning to Western, you must complete and submit a “Returning Student Application”. The application is available on the Admissions website at <http://admissions.wvu.edu/returning/>. Questions about the re-application process should be directed to the Admissions Office at (360) 650-3440. Please note that you must include information regarding your conviction for Assault in the fourth degree with sexual motivation on any future Returning Student Applications.

This suspension precludes you from eligibility for any future on campus housing at Western.

2. Prior to re-enrolling, proof of completion of a psycho sexual evaluation.

You are required to undergo a psycho sexual evaluation at your own expense from a certified treatment provider. Before attempting to re-enroll at Western, you must sign a release with the provider allowing them to speak with a doctor, psychiatrist, or counselor at Western to certify your successful completion of treatment, discuss the type of therapy you received, any follow-up treatment recommendations, and your therapist assessment of your likelihood to re-offend. After this conversation occurs, Western will evaluate your ability to re-enroll and return to campus. Please note that your trespass from campus will remain in place until Western determines you are eligible to re-enroll.

3. Suspension Re-Entry Meeting

Upon receipt of the Returning Student Application and psycho sexual evaluation confirmation the Office of Student Life will schedule an in person or telephone meeting with you to: i. Discuss and required follow-up from the evaluation and the academic re-entry process; and ii. Connect you with any appropriate support services on campus.

4. Post Suspension Return Meeting

You will have a follow up meeting with a representative from the Office of Student Life during the quarter of your return to check in on your success and provide any additional support resources to ensure your success. The Office of Student Life will email you the date and time at least three days prior to the meeting.

Your rights in this process include the right to request a review of this decision by the dean of students or their designee. Any request for review must be submitted within writing to deanofstudents@wwu.edu. Only the written documentation will be reviewed. As an additional reminder, the Student Conduct Code can be found linked from here:

<https://wp.wwu.edu/officeofstudentlife/reporting-a-concern-making-a-complaint/>

██████ the Board does appreciate your thoroughness in pursuing your case, and we did take the many written and verbal testimonies to the strength of your character into account as we made our decision.

We wish you the best in your continued academic and professional pursuits.

Sincerely,

David Ruble
Chair, Student Conduct Appeals Board
Samantha Golden
Cameron Wuhr
Mark Kuntz
████████████████████

Western Washington University